

PATENT

Atty Docket No.: 10008388-1
App. Ser. No.: 10/066,096

REMARKS

Favorable reconsideration of this application respectfully requested in view of the foregoing amendments and the following remarks.

Claims 1-27 are pending of which claims 1, 20, 22 and 27 are independent. Claims 1-3, 6-15, and 17-27 have been amended.

Claims 1-27 were rejected under 35 U.S.C. §102(b) as being anticipated by Lazarus et al. (U.S.P. No. 6,134,532). This rejection is respectfully traversed for at least the following reasons.

Office Interview on November 15, 2005

The undersigned thanks the Examiner for the Office Interview the Examiner held on November 15, 2005, with Tiep Nguyen, Reg. No. 44,465, wherein Lazarus et al. and the proposed amendments to independent claims 1, 20, 22, and 27 were discussed. The undersigned further thanks the Examiner for indicating in the Office Interview that the proposed claim amendments appear to overcome Lazarus et al. and the references of record. The Examiner also indicated that, based on the Examiner's previous prior art searches, pending claims 1-27, with the addition of the proposed amendments, appear to be allowable. However, it is understood that the Examiner will conduct an updated search to confirm the allowability of the claims.

Claim Rejections Under 35 U.S.C. §102(b)

The test for determining if a reference anticipates a claim, for purposes of a rejection under 35 U.S.C. § 102, is whether the reference discloses all the elements of the claimed

PATENT

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combination, or the mechanical equivalents thereof functioning in substantially the same way to produce substantially the same results. As noted by the Court of Appeals for the Federal Circuit in *Lindemann Maschinenfabrick GmbH v. American Hoist and Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984), in evaluating the sufficiency of an anticipation rejection under 35 U.S.C. § 102, the Court stated:

Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim.

Therefore, if the cited reference does not disclose each and every element of the claimed invention, then the cited reference fails to anticipate the claimed invention and, thus, the claimed invention is distinguishable over the cited reference.

The Examiner rejected claims 1-27 under 35 U.S.C. §102(b) as being anticipated by Lazarus et al.

Independent claims 1, 20, 22, and 27 have been amended as proposed in the Office Interview, wherein the claimed hierarchy of nodes and the relationships between the nodes in the hierarchy are further featured to overcome the Examiner's overly broad interpretation of the claimed features. As explained in the Office Interview, it is respectfully submitted that the Examiner's interpretation of clusters of centroid vectors disclosed in Lazarus et al. as being similar to the claimed nodes is not valid in light of the amended language in claims 1, 20, 22, and 27. For example, Lazarus et al. in col. 24, l. 55 to col. 25, l. 15 provides categorization or clustering of contents in various vector databases to generate "a set of cluster centroid vectors that represent regions of high density." Each of the cluster centroid vectors includes a centroid vector and a cluster of word vectors arranged in a content vector space around the centroid vector such that "the RDA system is able to find a set of word

PATENT**Atty Docket No.: 10008388-1
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vectors that are closest in the content vector space to the centroid vector." Thus, the clusters would not have relationships with other clusters. Rather, there exists a relationship **WITHIN EACH CLUSTER**, between the word vectors surrounding the centroid vector and the centroid vector itself. Thus, the clusters in Lazarus et al. cannot be deemed nodes in a hierarchy as now claimed. Furthermore, should the word vectors in each cluster be interpreted as nodes in a hierarchy, it is respectfully submitted that such "nodes" do not read on the now-claimed nodes because of a lack of the claimed relationships regarding children nodes, parent nodes, sibling nodes, subtrees, and local environments.

Dependent claims 2-3, 6-15, 17-19, 21, and 23-26 have been amended to be more consistent with the language in the amended independent claims 1, 20, 22, and 27.

Because Lazarus et al. does not disclose each and every element of the amended independent claims 1, 20, 22, and 27, as agreed by the Examiner in the Office Interview, it is respectfully submitted that those claims and their dependent claims 2-29, 21, and 23-26 are allowable over the references of record, and withdrawal of the rejection of pending claims 1-27 is respectfully requested.

Conclusion

For at least all of the above reasons, it is respectfully submitted that the present invention is neither disclosed nor suggested by the references of record, and the claims now pending patentably distinguish the claimed invention from the references of record. Accordingly, reconsideration and withdrawal of the outstanding rejections and an issuance of a Notice of Allowance are earnestly solicited.

PATENT

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App. Ser. No.: 10/066,096

Should the Examiner believe that a telephone conference with the undersigned would assist in resolving any issues pertaining to the allowability of the above-identified application, please contact the undersigned at the telephone number listed below. Please grant any required extensions of time and charge any fees due in connection with this request to deposit account no. 08-2025.

Respectfully submitted,

Dated: December 1, 2005

By



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